

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

JUSTIN TILLMAN,)	Civil Action No. 7:12-cv-00324
Petitioner,)	
)	ORDER
v.)	
)	By: Hon. Michael F. Urbanski
HAROLD W. CLARK,)	United States District Judge
Respondent.)	

In accordance with the written Memorandum Opinion entered this day, it is hereby

ORDERED

that petitioner's petition for writ of habeas corpus, pursuant to 28 U.S.C. §2254, is **DISMISSED** **without prejudice** for failure to exhaust state court remedies; a certificate of appealability is **DENIED**; petitioner's motions to proceed in forma pauperis and to appoint counsel are **DENIED as moot**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send certified copies of this Order and the accompanying Memorandum Opinion to petitioner.

Entered: July 25, 2012

/s/ Michael F. Urbanski

Michael F. Urbanski
United States District Judge